

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2009 of 2018

Arising Out of P.S. Case No. -19 Year- 2018 Thana -PALANWA District- EASTCHAMPARAN
(MOTIHARI)

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1. Mahesh Jha, Son of Late Awantilal Jha
2. Upendra Jha,
3. Surendra Jha, Both 2 & 3 sons of Batilal Jha,
4. Manoj Jha, S/o Harikrit Jha.
5. Kaushal Jha,
6. Radheshyam Jha, Both 5 & 6 sons of Surendra Jha.
7. Gajendra Jha Son of Late Harshitlal Jha.
8. Chadra Bhushan Jha,
9. Omprakash Jha @ Omprakash, Both 8 & 9 sons of Mahesh Jha.
10. Diraj Jha, S/o Naresh Jha, All resident of village- Surti Semra, Police Station-
Palanwa, District- East Champaran. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-09-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 19.05.2018 in A.B.P. No.1004 of 2018 passed by the learned Addl. Sessions Judge-I-cum-Special Judge SC/ST Act, East Champaran in connection with Palanwa P.S. Case No.19 of 2018 registered under Sections 341, 323, 504, 379, 506/34 of the Indian Penal Code and Sections 3(1)(q)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the appellants assaulted to the



informant because he had touched the hand-pump of the appellants for getting drinking water, whereas the case diary would reveal that there was dispute for wages of the building construction work done by the informant in the house of the appellants. Appellants have got no criminal antecedent.

Considering the general and omnibus nature of allegation, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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